

REMARKS

This Amendment is submitted in response to the Office Action dated September 22, 2004, having a shortened statutory period set to expire December 22, 2004. Claims 1-22 are pending. Applicants have canceled Claim 1 and amended Claims 2-7 and 9-10. No new matter has been entered by these amendments.

Allowable Subject Matter

In section 4 of the present Office Action, Claims 2 and 5-10 have been objected to as being dependent upon a rejected base claim. Applicants have amended those claims to be rewritten in independent form including all the limitations of the base claim and any intervening claims. Consequently, Applicants believe that Claims 2 and 5-10 are now in condition for allowance. Further, Applicants note with appreciation the allowance of Claims 11-22, as indicated in section 5 of the present Office Action.

Claim Rejections Under 35 U.S.C. §112

Claim 4 has been rejected under 35 U.S.C. §112, second paragraph. Applicants have incorporated all of the elements of Claim 4's base claim and have deleted the recitation to "automated disk drive library of Claim 4" in line 1. Consequently, Applicants believe that the rejection under §112 has been overcome by this amendment and that Claim 4 is now in condition for allowance.

Claim Rejections Under 35 U.S.C. §103

In section 3 of the present Office Action, Claims 1 and 3 have been rejected under 35 U.S.C. §103(a) as being unpatentable over *Takayama, et al.* (U.S. Patent No. 6,195,007) in view of *Hinnen, et al.* (U.S. Patent No. 5,682,276). That rejection is respectfully traversed and reconsideration of the claims is requested.

Claim 1 in the present application has been canceled. Claim 3 in the present application has been amended to be dependent upon Claim 2, which Applicants believe is now in condition for allowance. Consequently, the dependent Claim 3 is also considered to be in condition for allowance.

Considering all rejections and objections having been overcome in the present response, Applicants respectfully request reconsideration of the present application and submit that the present application is now in condition for the issuance of a Notice of Allowance.

Respectfully submitted,



Craig J. Yudell
Reg. No. 39,083
DILLON & YUDELL LLP
8911 N. Capital of Texas Highway
Suite 2110
Austin, Texas 78759
512.343.6116

ATTORNEY FOR APPLICANTS